IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

WP(C).No. 25506 of 2007(J)

PETITIONER:

ANU SHANKAR,(15783489 Y EX.RECT ARMY
AIR DEFENCE REGIMENT)ANU VIHAR,NADUVILE MURI,
PADANILAM P.O,NOORANAD,ALAPPUZHA DISTRICT.

BY ADV. SRI.RINNY STEPHEN CHAMAPARAMPIL

RESPONDENTS:

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1. GOVERNMENT OF INDIA,REPRESENTED BY
DEFENCE SECRETARY,SENA BHAVAN,NEW DELHI - 11.

2. TECH. TRG.REGIMENT,AD ART CENTRE,
NASHIK ROAD CAMP 422102,REPRESENTED BY ITS
COMMANDING OFFICER.

3. PCDA (P) ALLAHABAD,REPRESENTED BY ITS
COMMANDING OFFICER.

4. SENA VAYA RAKSHA ABHILEKH,
ARMY AIR DEFENCE RECORDS,PIN - 900 482,
C/O.56 APO,REPRESETNED BY ITS COMMANDING OFFICER.

5. ADDITIONAL DIRECTOR GENERAL PERSONNEL
SERVICES (AG/PS-5),INTEGRATED HQ OF MOD (ARMY),
ADJUTANT GENERALS BRANCH,D.H.Q P.O,
ARMY HEAD QUARTERS,SENA BHAVAN,NEW DELHI - 11.

BY ASG SRI.P.PARAMESWARAN NAIR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P.(C) No. 25506 of 2007

Dated this the 26th day of September, 2007

JUDGMENT

The petitioner was discharged from service from the Indian Army (Technical Training Regiment) as per Ext.P1. The petitioner sought for disability pension which was rejected by Ext.P3 order. The petitioner has submitted Ext.P4 appeal as provided under the Army Act before the Additional Director General of Personnel Services, viz. 5th respondent. Orders have not been passed on the appeal, so far, though under Ext.P7, the petitioner has been intimated that the records relating to the appeal have been forwarded to the appellate authority.

2. I have heard the Additional Central Government Standing Counsel as well.

3. The **writ petition is disposed of** directing the 5th respondent to consider and take appropriate decision on Ext.P4, after hearing the petitioner, within a period of three months from the date of receipt of a copy of this judgment. I make it clear that I have not

expressed any opinion on the merits of the claim made by the petitioner nor the maintainability of the appeal as such. The petitioner shall be heard before orders are passed by the appellate authority.

V.GIRI, JUDGE

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